



*Washington, Tuesday, August 24, 1937*

PRESIDENT OF THE UNITED STATES.

## EXECUTIVE ORDER

WITHDRAWAL OF PUBLIC LANDS FOR THE USE OF THE DEPARTMENT  
OF AGRICULTURE

## Washington

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, it is ordered as follows:

SECTION 1. Executive Order No. 6964, of February 5, 1935, as amended, temporarily withdrawing certain lands for classification and other purposes, is hereby revoked so far as it affects any public lands within the following-described area in Washington:

## WILLAMETTE MERIDIAN

T. 33 N., R. 39 E.,  
 sec. 1, E $\frac{1}{2}$ ;  
 sec. 12, E $\frac{1}{2}$ ;  
 sec. 13, E $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
 T. 33 N., R. 40 E.,  
 sec. 1, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 sec. 2, E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
 secs. 3 to 5, inclusive;  
 sec. 6, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 secs. 7 to 10, inclusive;  
 sec. 11, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 secs. 15 and 16;  
 sec. 17, N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 sec. 18, E $\frac{1}{2}$ , and NW $\frac{1}{4}$ ;  
 sec. 19, all;  
 sec. 20, E $\frac{1}{2}$ , and W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 sec. 21, all;  
 sec. 22, N $\frac{1}{2}$ N $\frac{1}{2}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 sec. 30, W $\frac{1}{2}$ E $\frac{1}{2}$ , and N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 T. 34 N., R. 40 E.,  
 sec. 1, all;  
 sec. 2, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
 sec. 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 sec. 5, W $\frac{1}{2}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 sec. 8, all;  
 sec. 9, S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 sec. 10, S $\frac{1}{2}$ N $\frac{1}{2}$ , S $\frac{1}{2}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 sec. 11, NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 secs. 15 to 17, inclusive;  
 sec. 18, E $\frac{1}{2}$ E $\frac{1}{2}$ ;  
 sec. 19, SE $\frac{1}{4}$ ;  
 secs. 20 and 21;  
 sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 secs. 23 to 28, inclusive;  
 sec. 29, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 sec. 30, NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 sec. 31, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 sec. 32, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 secs. 33 to 36, inclusive;  
 T. 35 N., R. 40 E.,  
 sec. 2, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 sec. 3, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 sec. 36, S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 sec. 6, NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 sec. 7, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 secs. 8 to 16, inclusive;  
 sec. 17, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 sec. 18, NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 sec. 19, N $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 sec. 20, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 sec. 21, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 sec. 22, SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 sec. 23, N $\frac{1}{2}$ , SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 secs. 24 to 26, inclusive;  
 sec. 27, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 sec. 28, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
 sec. 29, all;  
 sec. 30, E $\frac{1}{2}$ ;  
 sec. 31, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 secs. 32 to 36, inclusive;  
 T. 34 N., R. 41 E.,  
 secs. 1 to 5, inclusive;  
 sec. 6, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 sec. 7, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 secs. 8 to 36, inclusive;  
 T. 35 N., R. 41 E.,  
 sec. 1, all;  
 sec. 2, lots 1 to 12, inclusive, SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 sec. 3, lots 1, 2, 7, 8 and 9;  
 sec. 4, lots 2, 3, 4, 5, 6, 11 and 12, N $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 sec. 5, lots 1 to 12, inclusive, N $\frac{1}{2}$ S $\frac{1}{2}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 sec. 6, all;  
 sec. 7, NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 sec. 11, NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 sec. 12, N $\frac{1}{2}$ , and SE $\frac{1}{4}$ ;  
 sec. 13, N $\frac{1}{2}$ , SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 sec. 22, NE $\frac{1}{4}$ , and N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 sec. 23, all;  
 sec. 24, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 secs. 25 and 26;  
 sec. 27, E $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 sec. 28, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 sec. 29, S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 sec. 31, NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
 sec. 32, NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 sec. 33, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
 secs. 34 to 36, inclusive;



# FEDERAL REGISTER

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### T. 37 N., R. 43 E., sec. 31, all:

### T. 38 N., R. 43 E.,

sec. 6, lots 6 and 7;

sec. 7, lots 2, 3, and 4,  $E\frac{1}{2}SW\frac{1}{4}$ ,  $W\frac{1}{2}SE\frac{1}{4}$ ,  $S\frac{1}{2}NE\frac{1}{4}$ , and  $SE\frac{1}{4}NW\frac{1}{4}$ ;

sec. 19,  $W\frac{1}{2}SW\frac{1}{4}$ ;

### T. 39 N., R. 43 E.,

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### T. 40 N., R. 43 E.,

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sec. 4, lots 2, 3, 4, and  $S\frac{1}{2}$ ;

secs. 5 to 9, inclusive;

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secs. 15 to 21, inclusive;

sec. 22,  $NW\frac{1}{4}NE\frac{1}{4}$ ,  $S\frac{1}{2}NE\frac{1}{4}$ ,  $NW\frac{1}{4}$ , and  $S\frac{1}{2}$ ;

secs. 27 to 33, inclusive;

sec. 34,  $NW\frac{1}{4}$ , and  $S\frac{1}{2}$ .

**SECTION 2.** Subject to the conditions expressed in the above mentioned acts and to all valid existing rights, all vacant, unappropriated, and unreserved public lands within the above-described area are hereby temporarily withdrawn from settlement, location, sale, or entry, and reserved and set apart for use and development by the Department of Agriculture for reforestation, forestation, soil erosion control and other land utilization activities in connection with the

Northeast Washington Project, LA-WA 2: Provided, that nothing herein contained shall restrict prospecting, locating, developing, mining, entering, leasing, or patenting the mineral resources of the lands under the applicable laws.

SECTION 3. This order shall be applicable to all lands within the area described in Section 1 hereof upon the cancellation, termination, or release of prior entries, selections, rights, appropriations, or claims, or upon the revocation of prior withdrawals, unless expressly otherwise provided in the order of revocation.

SECTION 4. The reservation made by Section 2 of this order shall remain in force until revoked by the President or by act of Congress.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

Aug. 19, 1937

[No. 7693]

[F. R. Doc. 37-2586; Filed, August 20, 1937; 4:20 p. m.]

#### TREASURY DEPARTMENT.

##### Accounts and Deposits.

##### REGULATIONS GOVERNING CLAIMS FOR REPLACEMENT OF VALUABLES, OR THE VALUE THEREOF, SHIPPED PURSUANT TO THE "GOVERNMENT LOSSES IN SHIPMENT ACT"

1937

First Supplement to  
Department Circular  
No. 577

AUGUST 20, 1937.

To the Heads of the Executive Departments, Independent Establishments, Agencies, Wholly-owned Corporations, Officers and Employees of the United States, Federal Reserve Banks When Acting on Behalf of the United States or Agencies Thereof, and Others Concerned:

Paragraph 1 of Department Circular No. 577<sup>1</sup> (Accounts and Deposits) dated August 13, 1937, is hereby amended to read as follows:

1. *General instructions.*—To facilitate the reporting of loss or destruction of, or damage to valuables and submission of proofs of claim for relief, under the provisions of section 3 of the Act, in the event of loss or destruction of, or damage to valuables shipped pursuant to the regulations prescribed under section 1 of said Act, executive departments, independent establishments, agencies, wholly-owned corporations, officers, employees, Federal Reserve banks when acting on behalf of the United States or agencies thereof, and others concerned, hereinafter sometimes referred to as "Consignors," should observe strictly the following requirements, except as the Secretary of the Treasury, being satisfied that observance thereof is not necessary to carry out the purposes of the Act and of these regulations, may waive or modify any such requirement. Failure on the part of any consignor or agent or employee thereof to comply with these requirements may retard recoveries and may under the circumstances preclude reimbursement from the Fund or other relief under the Act, and render the consignor responsible for any loss occurring through such negligence.

[SEAL]

WAYNE C. TAYLOR,  
Acting Secretary of the Treasury.

Approved:

FRANKLIN D ROOSEVELT  
THE WHITE HOUSE.

[F. R. Doc. 37-2597; Filed, August 23, 1937; 12:45 p. m.]

#### DEPARTMENT OF AGRICULTURE.

##### Agricultural Adjustment Administration.

##### INITIAL ORDER RESPECTING PAYMENTS UNDER THE 1937 AGRICULTURAL CONSERVATION PROGRAM—NORTHEAST REGION

Whereas under the provisions of the second paragraph of the Bulletin No. 101 for each of the States in the Northeast

<sup>1</sup> 2 F. R. 1679 (DI).

Region the rates of payments and allowances specified in such bulletins and supplements thereto and in Bulletin No. 101-A for each of the States of New Hampshire<sup>1</sup>, New York<sup>2</sup>, and Vermont<sup>3</sup> are based upon an estimate of available funds and an estimate of approximately 85 percent participation by farmers in the 1937 Agricultural Conservation Program in all regions, and it is also provided in said paragraph that such rates of payments and allowances may be increased or decreased, depending upon the extent of participation, provided that in no event will such rates or allowances be decreased or increased by more than 10 percent;

Whereas under the provisions of Part III, Section 1, of said bulletins for New Hampshire,<sup>4</sup> New Jersey,<sup>5</sup> New York,<sup>6</sup> Rhode Island,<sup>7</sup> and Vermont,<sup>8</sup> Part IV, Section 1, of said bulletin for Connecticut<sup>9</sup> and Massachusetts,<sup>10</sup> Part IV, Section 4, of said bulletin for Maine,<sup>11</sup> and Part V, Section 5, of said bulletin for Pennsylvania,<sup>12</sup> it is provided that in computing payments under the 1937 Agricultural Conservation Program there shall, under such rules as the Secretary of Agriculture may prescribe, be deducted from the payment to any person with respect to a farm or farms in a county all or such part, as the Secretary of Agriculture may prescribe, of such person's pro rata share of the estimated administrative expenses, incurred and to be incurred by the County Agricultural Conservation Association of the county in which such farm or farms are located, in cooperating in carrying out in such county the 1937 Agricultural Conservation Program:

Whereas many farmers participating in the 1937 Agricultural Conservation Program in the Northeast Region have completed the practices in connection with which payments may be made under said program; and

Whereas at this time it is impossible to determine the full extent of participation by farmers in the 1937 Agricultural Conservation Program in all regions and the adjustments, if any, to be made in the rates of the payments and allowances specified in said bulletins for each State in the Northeast Region and the appropriate deductions for administrative expenses to be made under said program in that region but said bulletins provide that such participation cannot result in said rates and allowances being decreased by more than 10 percent and it has been determined that deductions for administrative expenses will not be made at a rate in excess of 10 percent of the gross payments in any county:

Now, therefore, I, M. L. Wilson, Acting Secretary of Agriculture, pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, as amended, do hereby order:

(1) That pending determination by the Secretary of Agriculture of the adjustments, if any, to be made in the rates of payment and allowances specified in said bulletins for each State in the Northeast Region and determination of such deductions for administrative expenses there shall be made, as soon as practicable, with respect to each application for payment, Form NER-106 or Form NER-107, duly executed in accordance with the applicable rules and instructions an initial payment equal to 80 percent of the total payment computed in accordance with the rates and allowances, and subject to the conditions, in effect under said program as of the date hereof, and

(2) Subsequent to the date of such determinations there shall be made with respect to each application for payment, Form NER-106 or Form NER-107, duly executed in accordance with the applicable rules and instructions:

(a) To each person entitled thereto who has not previously received an initial payment pursuant to the para-

<sup>1</sup> 2 F. R. 324 (DI).	<sup>1</sup> 2 F. R. 240 (DI).
<sup>2</sup> 2 F. R. 326 (DI).	<sup>2</sup> 2 F. R. 79 (DI).
<sup>3</sup> 2 F. R. 327 (DI).	<sup>3</sup> 2 F. R. 242 (DI).
<sup>4</sup> 2 F. R. 249 (DI).	<sup>4</sup> 2 F. R. 246 (DI).
<sup>5</sup> 2 F. R. 237 (DI).	<sup>5</sup> 2 F. R. 159 (DI).
<sup>6</sup> 2 F. R. 309 (DI).	<sup>6</sup> 2 F. R. 312 (DI).

graph numbered (1) above, one full and final payment; and

(b) To each person who has received an initial payment pursuant to the paragraph numbered (1) above, the balance of the payment to which he may be entitled.

Done at Washington, D. C., this 19th day of August, 1937. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

M. L. WILSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 37-2587: Filed, August 21, 1937; 12:11 p. m.]

1937 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN 101—AMENDMENT 13, REVISED

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NOTE.—Correction of certain typographical errors appearing in Southern Region Bulletin 101.

SR—B-101—Amendment 13, Revised

1937 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN 101—AMENDMENT 13, REVISED<sup>1</sup>

Amendment 13 to Southern Region Bulletin 101 is hereby amended to read as follows:

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, as amended, Southern Region Bulletin 101, as amended, is hereby further amended as follows:

I

Section 17, Minimum Acreage of Soil-Conserving Crops, as amended by Amendment 3, is amended to read as follows:

SEC. 17. *Minimum Acreage of Soil-Conserving Crops.*<sup>2</sup>—If the total acreage of soil-conserving crops on cropland on any farm in 1937 does not equal or exceed the sum of—

- (a) the soil-conserving base<sup>3</sup> established for the farm and
- (b) the sum of the acreages diverted for payment from the cotton, tobacco, peanut, and general bases,

a deduction will be made from any payment (other than a rice payment) which otherwise would be made with respect to the farm in an amount obtained by multiplying \$3.00 by the number of acres by which the total acreage of soil-conserving crops on cropland on the farm in 1937 is less than such sum, provided, however, that if a sugarcane base is established for the farm in 1937 the acreage on which such deduction is computed shall not exceed that acreage by which the minimum acreage of soil-conserving crops, computed pursuant to this section 17, exceeds 30 percent of the sugarcane base for the farm.

II

Subsection (h), section 18, Division of Class I Payment where Diversion was not made Ratably, is amended to read as follows:

(h) *Division of Class I Payment.*—On farms where there are two or more producers, that portion of the class I payment which is

to be divided among producers on the crop-share basis shall be divided among the producers entitled to share in the soil-depleting crop(s) in such base in the proportion that the acreage share of each such producer bears to the total acreage on the farm devoted in 1937 to such crop(s) except that if no acreage was devoted to the crop(s) in one or more soil-depleting bases in 1937, or if the County Committee finds that diversion was not made ratably by all producers on the farm, the portion of such payment to be made to any producer with respect to each soil-depleting base shall be

(1) in the proportion that his contribution to the difference between the respective soil-depleting base and the 1937 acreage of the crop(s) in such base bears to the total difference between such base and the 1937 acreage of the crop(s) in such base; or

(2) in the proportion that his acreage share of the respective soil-depleting base bears to such base for the farm.

In cases where the farm is composed of only one producer unit and no acreage on the farm is devoted in 1937 to the crop(s) in one or more soil-depleting bases established for such farm, the contribution of each producer in accordance with the provisions of either paragraph (1) or paragraph (2) of this subsection (h) may be determined by agreement of all producers on the farm signified in the presence of at least two members of the County Committee, provided the contribution of each interested person with respect to each soil-depleting base in connection with which a payment is made is in the same proportion that such person would have shared in that soil-depleting crop (or the proceeds thereof) under the lease or operating agreement.

In cases where the farm is composed of only one producer unit and no acreage on the farm was devoted in 1937 to the crop(s) in one or more soil-depleting bases established for such farm the contribution of each interested person with respect to any soil-depleting base in connection with which a payment is made is not in the same proportion that such person would have shared in that soil-depleting crop (or the proceeds thereof) under the lease or operating agreement, and in cases where the farm to be covered by an application for payment is composed of more than one producer unit and either no acreage on the farm was devoted in 1937 to the crop(s) in one or more soil-depleting bases established for such farm or the County Committee finds that diversion was not made ratably, the contribution of each such producer may, subject to the approval of the Administrative Officer in Charge or the Acting Administrative Officer in Charge in the State Office acting with the advice and consent of the State Committee, be determined in accordance with the provisions of either paragraph (1) or paragraph (2) of this subsection (h) by agreement of all producers on the farm signified in the presence of at least two members of the County Committee, provided such agreement is found by the County Committee to be equitable to all concerned. In any such case there shall be submitted to the State Office, at the time of submission of the application for payment with respect to the farm, a certification signed by each producer in the presence of and approved by at least two members of the County Committee stating that the agreement has been reached voluntarily in accordance with the foregoing provisions.

In cases where the contribution of each producer is to be determined in accordance with the provisions of either paragraph (1) or paragraph (2) of this subsection (h) and agreement of all producers is not obtained as outlined above, the County Committee may recommend, subject to the approval of the Administrative Officer in Charge in the State Office, acting with the advice and consent of the State Committee, and the approval of the Director of the Southern Division, its determination of the contribution of each producer, such recommendation to set forth fully the facts upon which such recommendation is based.

III

The last sentence of subsection (i) of section 18, which reads as follows: "In case of the death or incompetency of a producer occurring during the period of performance under the 1937 program, class I and class II payments shall be made or withheld in accordance with rules to be prescribed by the Secretary", is deleted.

IV

Subsection (j), section 18, Lease or Operating Agreement Expiring During Growing Season, is amended to read as follows:

(j) *Lease or Operating Agreement Expiring During 1937.*—If control of a farm is lost through the expiration of a lease or operating agreement during 1937 the incoming producer shall not be shown as having an interest in the class I payment with respect to any soil-depleting crop which is harvested, or which under normal conditions would be ready for harvest, prior to the termination of the lease or operating agreement; except that if the County Committee finds that both the outgoing producer and the incoming producer have contributed to performance in 1937 with respect to the crop(s) in that soil-depleting base and such producers have agreed upon a division between them of the acreage of such crop(s) the acreage shall be divided according to their agreement (indicated by their signatures on the application for payment), or, if they are unable to agree, the County Committee

<sup>1</sup> 2 F. R. 10 (DI); 2 F. R. 1642 (DI).

shall recommend, subject to the approval of the Administrative Officer in Charge in the State, acting with the advice and consent of the State Committee, and the approval of the Director of the Southern Division, the division of such acreage between such persons on the basis found by it to be most equitable having due regard to the measure of performance contributed by each producer, and shall support its recommendation by a letter setting forth fully the facts in the case.

## V

Subsection (c) of section 62 is amended to read as follows:

(c) If two or more tracts of land in the same county are under different ownerships, even though they are operated by the same person, each such separately owned tract shall be covered by a separate work sheet. In case an operator rents from the same person a part of a tract of land on shares and the remainder of such tract for cash, or in case a person rents a part of a tract of land to one or more tenants on shares and a part of the same tract of land to the same tenant(s) for cash, all such land may be covered by one work sheet.

## VI

Section 63, Multiple Farm Holdings, is amended to read as follows:

SECTION 63. *Multiple Farm Holdings.*—If any person making application for payment in a county has an interest as owner or operator in one or more farms in the same county which are not covered by an application for payment (other than an "Application for Payment with Respect to Rice Farms", Form SR-128) under which payment may be made, such person is required to furnish the County Committee a showing as to the acreage of soil-depleting crops grown in 1937 on each such farm. If the County Committee has reason to believe that the information with respect to any soil-depleting crop on any such farm is incorrect, it shall cause such check to be made as it deems necessary, and if it finds that an understatement of soil-depleting crops has been made it shall cause the acreage of all soil-depleting crops on all such farms to be measured.

The procedure for determining whether a deduction should be made from the payment which otherwise would be made to the producer in question because of non-performance on such farms shall be as follows:

(a) For each such farm multiply the 1937 acreage of cotton, each kind of tobacco, commercial peanuts, and crops in the general base by the respective rate per acre (determined pursuant to sections 11, 12, 13, and 15, part III) and multiply each such result by the percentage (determined pursuant to the provisions of section 18, part III) due such person. Total the results thus obtained.

(b) For each such farm multiply the cotton, each kind of tobacco, peanut, and general bases by the respective rate per acre (determined pursuant to sections 11, 12, 13, and 15, part III) and multiply each such result by the percentage (determined pursuant to the provisions of section 18, part III) due such person. Total the results thus obtained.

(c) If the total obtained under subsection (a) of this section 63 exceeds the total obtained under subsection (b) of this section 63, such excess shall be deducted first from any payment which otherwise would be made to such person with respect to farms in such county covered by an application for payment, and the remainder from any payment which otherwise would be made to such person with respect to rice in the State.

(d) The procedure outlined in this section 63 shall at the option of the Secretary be applied to all farms owned or operated by the same person in the State.

## VII

Soil-building practice number 31 appearing in section 109 of part II, revised, is amended by adding at the end thereof the following:

Where land is listed or furrowed (other than contour listing or furrowing, or basin listing) in connection with practice number 31, and a reasonably good growth of the sorghum or Sudan grass is not obtained because of insects, hail, drouth, or other unfavorable weather conditions, two-fifths of such acreage shall nevertheless qualify under practice number 31, thus providing a payment of twenty cents per acre for such listing or furrowing.

## NOTE

The following typographical errors appear in the printed pamphlet edition of Southern Region Bulletin 101 but did not appear in the original or in the print in the Federal Register of January 5, 1937:<sup>1</sup>

(1) On page 7, practice number 13, the figure "30" should read "50", the paragraph correctly reading as follows:

*Practice Number, Practices and Conditions, and Rate*  
13. Manganese sulphate applied in 1937 on soil-conserving crops, but payment will not be made on an amount in excess of 50 pounds per acre. (per 100 pounds): 2.00.

<sup>1</sup>2 F. R. 10 (DI).

(2) On page 20, in paragraph (1) of subsection (f) of section 62, of the words "each person" should read "such person", the paragraph correctly reading as follows:

(1) An application for payment covering two or more farms in a county which are operated by the same person may be made only with the consent (indicated by signatures on the application for payment) of all persons who, as owner, share-tenant, or share-cropper, have an interest in the crops (or the proceeds thereof) grown in 1937 on any farm covered by the application; except that the signature of any person shall not be required in order to permit a grouping of such farms if such person would not receive a payment if each such farm were covered by a separate application for payment.

Done at Washington, D. C., this 21st day of August, 1937. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

M. L. WILSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 37-2588; Filed, August 21, 1937; 12:11 p. m.]

## Bureau of Agricultural Economics.

## REVISION OF UNITED STATES STANDARDS FOR MILLED RICE

By virtue of the authority vested in the Secretary of Agriculture by the act of Congress entitled "An act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1938, and for other purposes" approved June 29, 1937 (Public No. 173—75th Congress) I, M. L. Wilson, Acting Secretary of Agriculture, do hereby fix, establish, and promulgate, in lieu of all existing standards for milled rice, the following standards of quality and condition for milled rice, which shall be in force and effect on and after September 1, 1937, and so long as Congress shall provide the necessary authority therefor, unless amended or superseded by standards hereafter prescribed and promulgated under such authority.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, this 21st day of August, 1937.

[SEAL]

M. L. WILSON, Acting Secretary.

UNITED STATES STANDARDS FOR MILLED RICE<sup>1</sup>

For the purposes of the United States standards for milled rice:

*Milled rice.*—Milled rice shall be whole or broken kernels of rice of the classes specified in these standards, from which the hulls and practically all of the germs and bran layers have been removed, which may be either coated or uncoated, and which does not contain more than 10 percent of cereal grains, including paddy grains, seeds, or other foreign material, either singly or in any combination.

*Classes.*—Milled rice shall be divided into nineteen classes, as follows: Class I, Honduras Milled Rice; Class II, Edith Milled Rice; Class III, Fortuna Milled Rice; Class IV, Carolina Milled Rice; Class V, Lady Wright Milled Rice; Class VI, Early Wright Milled Rice; Class VII, Rexoro Milled Rice; Class VIII, Delitus Milled Rice; Class IX, Nira Milled Rice; Class X, Shoemed Milled Rice; Class XI, Blue Rose Milled Rice; Class XII, Early Prolific Milled Rice; Class XIII, Louisiana Pearl Milled Rice; Class XIV, Japan Milled Rice; Class XV, Calady Milled Rice; Class XVI, Second Head Milled Rice; Class XVII, Screenings Milled Rice; Class XVIII, Brewers Milled Rice; and Class XIX, Mixed Milled Rice.

*Grades.*—Milled rice shall be graded and designated according to the respective grade requirements of the numerical grades, or named grades, and sample grade of its appropriate class or subclass, and according to the special grades when applicable.

<sup>1</sup>The specifications of these standards shall not excuse failure to comply with the provisions of the Food and Drugs Act.

## FEDERAL REGISTER, August 24, 1937

## HONDURAS MILLED RICE (CLASS I)

This class shall include the rices known commercially as Honduras and Mortgage Lifter, which contain more than 25 percent of whole kernels, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## EDITH MILLED RICE (CLASS II)

This class shall include the rice known commercially as Edith, which contains more than 25 percent of whole kernels, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## FORTUNA MILLED RICE (CLASS III)

This class shall include the rice known commercially as Fortuna, which contains more than 25 percent of whole kernels, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## CAROLINA MILLED RICE (CLASS IV)

This class shall include the rices known commercially as Carolina and Storm Proof, which contain more than 25 percent of whole kernels, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## LADY WRIGHT MILLED RICE (CLASS V)

This class shall include the rice known commercially as Lady Wright, which contains more than 25 percent of whole kernels, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## EARLY WRIGHT MILLED RICE (CLASS VI)

This class shall include the rice known commercially as Early Wright, which contains more than 25 percent of whole kernels, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## REXORO MILLED RICE (CLASS VII)

This class shall include the rice known commercially as Rexoro, which contains more than 25 percent of whole kernels, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## DELITUS MILLED RICE (CLASS VIII)

This class shall include the rice known commercially as Delitus, which contains more than 25 percent of whole kernels, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## NIRA MILLED RICE (CLASS IX)

This class shall include the rice known commercially as Nira, which contains more than 25 percent of whole kernels, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## CLASSES I TO IX, INCLUSIVE

*Grade requirements for the classes Honduras, Edith, Fortuna, Carolina, Lady Wright, Early Wright, Rexoro, Delitus, and Nira, milled rice*

Grade	Maximum limits of—						
	Cereal grains, seeds, and heat damage (number in 500 grams)		Red rice and damage other than heat (singly or combined)	Chalky kernels	Broken kernels		Other rices
	Total	Heat damage and seeds (singly or combined)			Total	Through no. 6 sieve	
Extra Fancy (U. S. No. 1)	3	1	0.5	1.0	10	0.3	1
Fancy (U. S. No. 2)	7	4	1.5	1.5	15	1.5	2
Extra Choice (U. S. No. 3)	12	7	2.0	2.0	20	2.0	4
Choice (U. S. No. 4)	18	10	2.5	3.0	25	1.0	6
Medium (U. S. No. 5)	40	25	6.0	6.0	35	2.0	10

*Sample grade.*—Sample grade shall include milled rice of the classes Honduras, or Edith, or Fortuna, or Carolina, or Lady Wright, or Early Wright, or Rexoro, or Delitus, or Nira, respectively, which does not come within the requirements of any

of the grades from Extra Fancy (U. S. No. 1) to Medium (U. S. No. 5), inclusive; or which has any commercially objectionable foreign odor; or is musty, or sour, or heating, or hot; or is of a badly damaged or extremely red appearance; or contains more than 0.1 percent of foreign material.

The percentage of moisture in the grades Extra Fancy (U. S. No. 1), Fancy (U. S. No. 2), Extra Choice (U. S. No. 3), Choice (U. S. No. 4), and Medium (U. S. No. 5) shall not exceed 14.5.

*Color and general appearance.*—Rice of the grade Extra Fancy (U. S. No. 1) shall be white, creamy and shall be well milled. Rice of the grade Fancy (U. S. No. 2) shall be white, creamy, or grayish, and shall be well milled. Rice of the grade Extra Choice (U. S. No. 3) shall be white, creamy, or grayish, and shall be reasonably well milled. Rice of the grade Choice (U. S. No. 4) shall be white, creamy, or grayish, and may be slightly rosy, and shall be reasonably well milled. Rice of the grade Medium (U. S. No. 5) may be of slightly damaged or red appearance.

## SHOEMED MILLED RICE (CLASS X)

This class shall include the rice known commercially as Shoemed, which contains more than 25 percent of whole kernels, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## BLUE ROSE MILLED RICE (CLASS XI)

This class shall include the rices known commercially as Blue Rose, Greater Blue Rose, and Improved Blue Rose, which contain more than 25 percent of whole kernels, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## EARLY PROLIFIC MILLED RICE (CLASS XII)

This class shall include the rice known commercially as Early Prolific, which contains more than 25 percent of whole kernels, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## LOUISIANA PEARL MILLED RICE (CLASS XIII)

This class shall include the rice known commercially as Louisiana Pearl, which contains more than 25 percent of whole kernels, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## CLASSES X TO XIII, INCLUSIVE

*Grade requirements for the classes Shoemed, Blue Rose, Early Prolific, and Louisiana Pearl, milled rice*

Grade	Maximum limits of—						
	Cereal grains, seeds, and heat damage (number in 500 grams)		Red rice and damage other than heat (singly or combined)	Chalky kernels	Broken kernels		Other rices
	Total	Heat damage and seeds (singly or combined)			Total	Through no. 6 sieve	
Extra Fancy (U. S. No. 1)	3	1	0.5	1.0	10	0.3	1
Fancy (U. S. No. 2)	7	4	1.5	1.5	15	1.5	2
Extra Choice (U. S. No. 3)	12	7	2.0	2.0	20	2.0	4
Choice (U. S. No. 4)	18	10	2.5	3.0	25	1.0	6
Medium (U. S. No. 5)	40	25	6.0	6.0	35	2.0	10

*Sample grade.*—Sample grade shall include milled rice of the classes Shoemed, or Blue Rose, or Early Prolific, or Louisiana Pearl, respectively, which does not come within the requirements of any of the grades from Extra Fancy (U. S. No. 1) to Medium (U. S. No. 5), inclusive; or which has any commercially objectionable foreign odor; or is musty, or sour, or heating, or hot; or is of a badly damaged or extremely red appearance; or contains more than 0.1 percent of foreign material.

The percentage of moisture in the grades Extra Fancy (U. S. No. 1), Fancy (U. S. No. 2), Extra Choice (U. S. No. 3), Choice (U. S. No. 4), and Medium (U. S. No. 5) shall not exceed 14.5.

*Color and general appearance.*—Rice of the grade Extra Fancy (U. S. No. 1) shall be white or creamy and shall be well milled. Rice of the grade Fancy (U. S. No. 2) shall be white, creamy, or grayish, and shall be well milled. Rice of the grade Extra Choice (U. S. No. 3) shall be white, creamy, or grayish, and shall be reasonably well milled. Rice of the grade Choice (U. S. No. 4) shall be white, creamy, or grayish, and may be slightly rosy, and shall be reasonably well milled. Rice of the grade Medium (U. S. No. 5) may be of slightly damaged or red appearance.

## JAPAN MILLED RICE (CLASS XIV)

This class shall include the rice known commercially as Japan, which contains more than 25 percent of whole kernels, and may include not more than 10 percent of whole kernels of rice of any other class or classes. This class shall

be divided into two subclasses designated as (a) Japan milled rice and (b) California-Japan milled rice.

#### Subclass (A) Japan Milled Rice

This subclass shall include all rice known commercially as Japan possessing the characteristics of rice of this class as grown east of the Rocky Mountains.

##### Grade requirements for the subclass (a) Japan milled rice

Grade	Maximum limits of—						
	Cereal grains, seeds, and heat damage (number in 500 grams)		Red rice and damage other than heat (singly or combined)	Chalky kernels	Broken kernels		Other rices
	Total	Heat damage and seeds (singly or combined)			Total	Through no. 6 sieve	
Extra Fancy (U. S. No. 1)	Number	Number	Percent	Percent	Percent	Percent	Percent
3	1	0.5	2.0	5	0.3	1	
Fancy (U. S. No. 2)	7	4	1.5	4.0	10	.5	2
Extra Choice (U. S. No. 3)	12	7	2.0	6.0	15	.7	4
Choice (U. S. No. 4)	18	10	2.5	8.0	20	1.0	6
Medium (U. S. No. 5)	40	25	6.0	10.0	35	2.0	10

*Sample grade.*—Sample grade shall include milled rice of the subclass Japan milled rice, which does not come within the requirements of any of the grades from Extra Fancy (U. S. No. 1) to Medium (U. S. No. 5), inclusive; or which has any commercially objectionable foreign odor; or is musty, or sour, or heating, or hot; or is of a badly damaged or extremely red appearance; or is otherwise of distinctly low quality; or contains more than 0.1 percent of foreign material.

The percentage of moisture in the grades Extra Fancy (U. S. No. 1), Fancy (U. S. No. 2), Extra Choice (U. S. No. 3), Choice (U. S. No. 4), and Medium (U. S. No. 5) shall not exceed 14.5.

*Color and general appearance.*—Rice of the grade Extra Fancy (U. S. No. 1) shall be white or creamy and shall be well milled. Rice of the grade Fancy (U. S. No. 2) shall be white, creamy, or grayish, and shall be well milled. Rice of the grade Extra Choice (U. S. No. 3) shall be white, creamy, or grayish, and shall be reasonably well milled. Rice of the grade Choice (U. S. No. 4) shall be white, creamy, or grayish, and may be slightly rosy, and shall be reasonably well milled. Rice of the grade Medium (U. S. No. 5) may be of slightly damaged or red appearance.

#### Subclass (B) California-Japan Milled Rice

This subclass shall include all rice known commercially as Japan possessing the characteristics of rice of this class as grown west of the Great Plains area of the United States.

##### Grade requirements for the subclass (b) California-Japan milled rice

Grade	Maximum limits of—						
	Cereal grains, seeds, and heat damage (number in 500 grams)		Red rice and damage other than heat (singly or combined)	Chalky kernels	Broken kernels		Other rices
	Total	Heat damage			Total	Through no. 6 sieve	
Extra Fancy (U. S. No. 1) <sup>1</sup>	Number	Number	Percent	Percent	Percent	Percent	Percent
3	0	0.2	2.0	5	0.3	0.5	
Fancy (U. S. No. 2)	7	2	.5	4.0	10	.5	1.0
Extra Choice (U. S. No. 3)	12	3	1.0	6.0	15	.7	2.0
Choice (U. S. No. 4)	18	5	1.5	8.0	20	1.0	3.0
Medium (U. S. No. 5)	25	7	2.0	10.0	35	2.0	10.0

<sup>1</sup> Rice of the grade Extra Fancy shall contain not more than 1 cereal grain other than paddy grains nor more than 1 mud lump, in 500 grams of rice.

*Sample grade.*—Sample grade shall include milled rice of the subclass California-Japan milled rice, which does not come within the requirements of any of the grades from Extra Fancy (U. S. No. 1) to Medium (U. S. No. 5), inclusive; or which has any commercially objectionable foreign odor; or is musty, or sour, or heating, or hot; or is of a badly damaged or extremely red appearance; or is otherwise of distinctly low quality; or contains more than 0.1 percent of foreign material.

The percentage of moisture in the grades Extra Fancy (U. S. No. 1), Fancy (U. S. No. 2), Extra Choice (U. S. No. 3), Choice (U. S. No. 4), and Medium (U. S. No. 5) shall not exceed 14.5.

*Color and general appearance.*—Rice of the grade Extra Fancy (U. S. No. 1) shall be white or creamy and shall be well milled. Rice of the grade Fancy (U. S. No. 2) shall be white, creamy, or grayish, and shall be well milled. Rice of the grade Extra Choice (U. S. No. 3) shall be white, creamy, or grayish, and shall be reasonably well milled. Rice of the grade Choice (U. S. No. 4) shall be white, creamy, or grayish, and may be slightly rosy, and shall be reasonably well milled. Rice of the grade Medium (U. S. No. 5) may be of slightly damaged or red appearance.

#### CALADY MILLED RICE (CLASS XV)

This class shall include the rice known commercially as Calady and other rices of similar type, possessing the characteristics of rice of this class as grown west of the Great Plains area of the United States, which contains more than 25 percent of whole kernels, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

##### Grade requirements for the class Calady milled rice

Grade	Maximum limits of—						
	Cereal grains, seeds, and heat damage (number in 500 grams)		Red rice and damage other than heat (singly or combined)	Chalky kernels	Broken kernels		Other rices
	Total	Heat damage			Total	Through no. 6 sieve	
Extra Fancy (U. S. No. 1) <sup>1</sup>	Number	Number	Percent	Percent	Percent	Percent	Percent
3	0	0.2	2.0	5	0.3	0.5	
Fancy (U. S. No. 2)	7	2	.5	4.0	10	.5	1.0
Extra Choice (U. S. No. 3)	12	3	1.0	6.0	15	.7	2.0
Choice (U. S. No. 4)	18	5	1.5	8.0	20	1.0	3.0
Medium (U. S. No. 5)	25	7	2.0	10.0	35	2.0	10.0

<sup>1</sup> Rice of the grade Extra Fancy shall contain not more than 1 cereal grain other than paddy grains nor more than 1 mud lump, in 500 grams of rice.

*Sample grade.*—Sample grade shall include milled rice of the class Calady milled rice which does not come within the requirements of any of the grades from Extra Fancy (U. S. No. 1) to Medium (U. S. No. 5), inclusive; or which has any commercially objectionable foreign odor; or is musty, or sour, or heating, or hot; or is of a badly damaged or extremely red appearance; or is otherwise of distinctly low quality; or contains more than 0.1 percent of foreign material.

The percentage of moisture in the grades Extra Fancy (U. S. No. 1), Fancy (U. S. No. 2), Extra Choice (U. S. No. 3), Choice (U. S. No. 4), and Medium (U. S. No. 5) shall not exceed 14.5.

*Color and general appearance.*—Rice of the grade Extra Fancy (U. S. No. 1) shall be white or creamy and shall be well milled. Rice of the grade Fancy (U. S. No. 2) shall be white, creamy, or grayish, and shall be well milled. Rice of the grade Extra Choice (U. S. No. 3) shall be white, creamy, or grayish, and shall be reasonably well milled. Rice of the grade Choice (U. S. No. 4) shall be white, creamy, or grayish, and may be slightly rosy, and shall be reasonably well milled. Rice of the grade Medium (U. S. No. 5) may be of slightly damaged or red appearance.

#### SECOND HEAD MILLED RICE (CLASS XVI)

This class shall consist of milled rice which contains not more than 25 percent of whole kernels, not more than 50 percent of broken kernels which will pass readily through a 6½ sieve, and not more than 10 percent of broken kernels which will pass readily through a No. 6 sieve.

##### Grade requirements for the class Second Head milled rice

Grade	Maximum limits of—						
	Cereal grains, seeds, and heat damage (number in 500 grams)		Red rice and damage other than heat (singly or combined)	Chalky kernels	Broken kernels		Other rices
	Total	Heat damage and seeds (singly or combined)			Total	Through no. 6½ sieve	
Extra Fancy (U. S. No. 1)	Number	Number	Percent	Percent	Percent	Percent	Percent
20	15	1	3	3	15		
Fancy (U. S. No. 2)	25	20	2	5	5	5	25
Extra Choice (U. S. No. 3)	40	35	4	10	7	7	35
Choice (U. S. No. 4)	60	50	6	15	10	10	50
Medium (U. S. No. 5)	110	100	10	20	10	10	50

*Sample grade.*—Sample grade shall include milled rice of the class Second Head which does not come within the requirements of any of the grades from Extra Fancy (U. S. No. 1) to Medium (U. S. No. 5), inclusive; or which has any commercially objectionable foreign odor; or is musty, or sour, or heating, or hot; or is of a badly damaged or extremely red appearance; or is otherwise of distinctly low quality; or contains more than 0.1 percent of foreign material.

The percentage of moisture in grades Extra Fancy (U. S. No. 1), Fancy (U. S. No. 2), Extra Choice (U. S. No. 3), Choice (U. S. No. 4), and Medium (U. S. No. 5) shall not exceed 14.5.

*Color and general appearance.*—Rice of the grades Extra Fancy (U. S. No. 1), Fancy (U. S. No. 2), Extra Choice (U. S. No. 3) shall be white, creamy, or grayish. Rice of the grade Choice (U. S. No. 4) may be of slightly damaged or slightly rosy appearance. Rice of the grade Medium (U. S. No. 5) may be of slightly damaged or red appearance.

## SCREENINGS MILLED RICE (CLASS XVII)

This class shall consist of milled rice which contains not more than 25 percent of whole kernels, which does not meet the requirements of size separations specified for the class Second Head milled rice, and which contains not more than 15 percent of broken kernels which will pass readily through a No. 5½ sieve. This class shall be divided into two subclasses: (a) Screenings milled rice and (b) California Screenings milled rice.

## Subclass (a) Screenings Milled Rice

This subclass shall include all Screenings milled rice possessing the characteristics of rice of this class as grown east of the Rocky Mountains.

## Grade requirements for the subclass (a) Screenings milled rice

Grade	Maximum limits of—			
	Cereal grains and seeds (number in 500 grams)	Chalky kernels	Broken kernels—	
			Through no. 5½ sieve	Through no. 6 sieve
Number	Percent	Percent	Percent	Percent
Extra Fancy (U. S. No. 1)	20	5	4	20
Fancy (U. S. No. 2)	50	8	6	30
Extra Choice (U. S. No. 3)	90	12	8	40
Choice (U. S. No. 4)	140	20	10	50
Medium (U. S. No. 5)	250	30	15	60

*Sample grade.*—Sample grade shall include milled rice of the subclass Screenings milled rice which does not come within the requirements of any of the grades from Extra Fancy (U. S. No. 1) to Medium (U. S. No. 5), inclusive; or which has any commercially objectionable foreign odor; or is musty, or sour, or heating, or hot; or is of a badly damaged or extremely red appearance; or is otherwise of distinctly low quality; or contains more than 0.1 percent of foreign material.

The percentage of moisture in grades Extra Fancy (U. S. No. 1), Fancy (U. S. No. 2), Extra Choice (U. S. No. 3), Choice (U. S. No. 4), and Medium (U. S. No. 5) shall not exceed 14.5.

*Color and general appearance.*—Rice of the grades Extra Fancy (U. S. No. 1) and Fancy (U. S. No. 2) shall be white, creamy, or grayish. Rice of the grade Extra Choice (U. S. No. 3) shall be white, creamy, or grayish, and may be slightly rosy. Rice of the grade Choice (U. S. No. 4) may be of slightly damaged or rosy appearance. Rice of the grade Medium (U. S. No. 5) may be of damaged or red appearance.

*Note.*—The grade term "Medium" (U. S. No. 5) for the subclass Screenings milled rice corresponds to the grade term "F. A. Q. Screenings," heretofore commonly used commercially.

## Subclass (b) California Screenings Milled Rice

This subclass shall include all Screenings milled rice possessing the characteristics of rice of this class as grown west of the Great Plains area of the United States.

## Grade requirements for the subclass (b) California Screenings milled rice

Grade	Maximum limits of—			
	Cereal grains and seeds (number in 500 grams)	Chalky kernels	Broken kernels—	
			Through no. 5½ sieve	Through no. 6 sieve
Number	Percent	Percent	Percent	Percent
Extra Fancy (U. S. No. 1)	30	5	4	20
Fancy (U. S. No. 2)	75	8	6	30
Extra Choice (U. S. No. 3)	125	12	8	40
Choice (U. S. No. 4)	175	20	10	50
Medium (U. S. No. 5)	250	20	10	50

*Sample grade.*—Sample grade shall include milled rice of the subclass California Screenings milled rice which does not come within the requirements of any of the grades from Extra Fancy (U. S. No. 1) to Medium (U. S. No. 5), inclusive; or which has any commercially objectionable foreign odor; or is musty, or sour, or heating, or hot; or is of a badly damaged or extremely red appearance; or is otherwise of distinctly low quality; or contains more than 0.1 percent of foreign material.

The percentage of moisture in grades Extra Fancy (U. S. No. 1), Fancy (U. S. No. 2), Extra Choice (U. S. No. 3), Choice (U. S. No. 4), and Medium (U. S. No. 5) shall not exceed 14.5.

*Color and general appearance.*—Rice of the grades Extra Fancy (U. S. No. 1), Fancy (U. S. No. 2), Extra Choice (U. S. No. 3), and Choice (U. S. No. 4) shall be white, creamy, or grayish. Rice of the grade Medium (U. S. No. 5) may be slightly damaged or slightly rosy.

## BREWERS MILLED RICE (CLASS XVIII)

This class shall consist of milled rice which contains not more than 25 percent of whole kernels and contains more than 15 percent of broken kernels which will pass readily through a No. 5½ sieve. This class shall be divided into two subclasses: (a) Brewers milled rice and (b) California Brewers milled rice.

## Subclass (a) Brewers Milled Rice

This subclass shall include all Brewers milled rice possessing the characteristics of rice of this class as grown east of the Rocky Mountains.

## Grade requirements for the subclass (a) Brewers milled rice

Grade	Cereal grains and seeds (maximum limits)		Color and general appearance
	Number in 500 grams	Percentage	
Extra Fancy (U. S. No. 1)	60	—	White, creamy, or grayish.
Fancy (U. S. No. 2)	—	0.1	Do.
Extra Choice (U. S. No. 3)	—	.2	White, creamy, or grayish, and may be slightly rosy.
Choice (U. S. No. 4)	—	.4	May be of slightly damaged or rosy appearance.
Medium (U. S. No. 5)	—	1.5	May be of damaged or red appearance.

*Sample grade.*—Sample grade shall include milled rice of the subclass Brewers milled rice which does not come within the requirements of any of the grades from Extra Fancy (U. S. No. 1) to Medium (U. S. No. 5), inclusive; or which has any commercially objectionable foreign odor; or is musty, or sour, or heating, or hot; or is of a badly damaged or extremely red appearance; or is otherwise of distinctly low quality; or contains more than 0.1 percent of foreign material.

The percentage of moisture in grades Extra Fancy (U. S. No. 1), Fancy (U. S. No. 2), Extra Choice (U. S. No. 3), Choice (U. S. No. 4), and Medium (U. S. No. 5) shall not exceed 14.5.

*Note.*—The grade term Medium (U. S. No. 5), for the subclass Brewers milled rice corresponds to the grade term "Standard Milled-Run Brewers" heretofore commonly used commercially.

## Subclass (b) California Brewers Milled Rice

This subclass shall include all Brewers milled rice possessing the characteristics of rice of this class as grown west of the Great Plains area of the United States.

## Grade requirements for the subclass (b) California Brewers milled rice

Grade	Cereal grains and seeds (maximum limits)		Color and general appearance
	Percent		
Extra Fancy (U. S. No. 1)	0.5		White, creamy, or grayish.
Fancy (U. S. No. 2)	1.0		Do.
Extra Choice (U. S. No. 3)	1.5		Do.
Choice (U. S. No. 4)	3.0		May be slightly damaged or slightly rosy.
Medium (U. S. No. 5)	5.0		May be damaged or rosy.

*Sample grade.*—Sample grade shall include milled rice of the subclass California Brewers milled rice which does not come within the requirements of any of the grades from Extra Fancy (U. S. No. 1) to Medium (U. S. No. 5), inclusive; or which has any commercially objectionable foreign odor; or is musty, or sour, or heating, or hot; or is of a badly damaged or extremely red appearance; or is otherwise of distinctly low quality; or contains more than 0.1 percent of foreign material.

The percentage of moisture in grades Extra Fancy (U. S. No. 1), Fancy (U. S. No. 2), Extra Choice (U. S. No. 3), Choice (U. S. No. 4), and Medium (U. S. No. 5) shall not exceed 14.5.

## MIXED MILLED RICE (CLASS XIX)

This class shall include all mixtures of milled rice of the classes I to XV, inclusive, which do not meet the requirements of any one of such classes.

*Grade requirements and designations.*—Mixed Milled Rice shall be graded according to the grade requirements of the class or subclass of milled rice which predominates in the mixture, except that the grade specifications for the factor "other rices" shall be disregarded.

The grade designation for Mixed Milled Rice shall include, successively, in the order named, (1) the name of the grade, or the number thereof, (2) the words "Mixed Milled Rice", and (3) the name and approximate percentage of each class or subclass of milled rice which constitutes 10 percent or more of the mixture in the order of its predominance; but if only one class or subclass exceeds 10 percent of the mixture, the name and approximate percentage of that class or subclass shall be added to the grade designation, followed by the name and approximate percentage of at least one other class or subclass.

#### SPECIAL GRADES FOR MILLED RICE

##### *Coated Milled Rice*

*Definition.*—Coated milled rice shall be milled rice of any class which has been coated with glucose and talc or any other substance.

*Grades.*—Coated milled rice shall be graded and designated according to the grade requirements of the grades applicable to such rice if it were not coated, and there shall be added to, and made a part of, the grade designation, the word "Coated."

##### *Weevily Milled Rice*

*Definition.*—Weevily milled rice shall be milled rice of any class which is infested with live weevils or other insects injurious to stored rice.

*Grades.*—Weevily milled rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not weevily, and there shall be added to, and made a part of, the grade designation, the word "Weevily."

#### DEFINITIONS

*Basis of grade determinations.*—All determinations shall be upon the basis of the rice as a whole.

*Percentages.*—Percentages, except in the case of moisture, shall be percentages ascertained by weight.

*Percentage of moisture.*—Percentage of moisture shall be that ascertained by the air oven and the method of use thereof described in Service and Regulatory Announcements No. 147 of the Bureau of Agricultural Economics of the United States Department of Agriculture, or ascertained by any device and method which give equivalent results in the determination of moisture.

*No. 5 1/2 sieve.*—A metal sieve perforated with round holes 5 1/2/64 inch in diameter.

*No. 6 sieve.*—A metal sieve perforated with round holes 6/64 inch in diameter.

*No. 6 1/2 sieve.*—A metal sieve perforated with round holes 6 1/2/64 inch in diameter.

*Damaged kernels.*—Damaged kernels shall be kernels and pieces of kernels of milled rice which have been distinctly damaged by water, insects, or by any other means. Sound double and sound broken kernels shall not be considered damaged kernels.

*Heat-damaged kernels.*—Heat-damaged kernels shall be kernels and pieces of kernels of milled rice which have been distinctly discolored by external heat or as a result of heating caused by fermentation.

*Foreign material.*—Foreign material shall include all matter other than rice except seeds and cereal grains.

*Cereal grains.*—Cereal grains shall include paddy grains (rough rice), barley, wheat, rye, emmer, spelt, einkorn, corn, grain sorghums, and oats, and shall not include buckwheat, flaxseed, and wild oats.

*Seeds.*—Seeds shall be grains, kernels, or seeds, either whole or broken, of any plant other than rice or other cereal grains.

*Red rice.*—Red rice shall be kernels or pieces of kernels of milled rice which are distinctly red in color or have any appreciable amount of red bran thereon.

*Broken kernels.*—Broken kernels shall be split kernels and pieces of kernels of milled rice which are less than three-fourths of the length of the perfect kernel.

*Chalky kernels.*—A chalky kernel shall be a kernel or a piece of a kernel of milled rice one-half or more of which is chalky.

[F. R. Doc. 2589; Filed, August 21, 1937; 12:11 p. m.]

#### REVISION OF UNITED STATES STANDARDS FOR BROWN RICE

By virtue of the authority vested in the Secretary of Agriculture by the act of Congress entitled "An act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1938, and for other purposes" approved June 29, 1937 (Public No. 173—75th Congress) I, M. L. Wilson, acting Secretary of Agriculture, do hereby fix, establish, and promulgate, in lieu of all existing standards for brown rice, the following standards of quality and condition for brown rice, which shall be in force and effect on and after September 1, 1937, and so long as Congress shall provide the necessary authority therefor, unless amended or superseded by standards hereafter prescribed and promulgated under such authority.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, this 21st day of August, 1937.

[SEAL]

M. L. WILSON, Acting Secretary.

#### UNITED STATES STANDARDS FOR BROWN RICE<sup>1</sup>

For the purposes of the United States standards for brown rice:

*Brown rice.*—Brown rice shall be whole or broken kernels of rice of the classes specified in these standards, from which the hulls only have been removed from not less than 90 percent of the kernels, and which does not contain more than 10 percent of cereal grains of a kind or kinds other than rice, seeds, or other foreign material, either singly or in any combination.

*Classes.*—Brown rice shall be divided into sixteen classes, as follows: Class I, Honduras Brown Rice; Class II, Edith Brown Rice; Class III, Fortuna Brown Rice; Class IV, Carolina Brown Rice; Class V, Lady Wright Brown Rice; Class VI, Early Wright Brown Rice; Class VII, Rexoro Brown Rice; Class VIII, Delitus Brown Rice; Class IX, Nira Brown Rice; Class X, Shōemed Brown Rice; Class XI, Blue Rose Brown Rice; Class XII, Early Prolific Brown Rice; Class XIII, Louisiana Pearl Brown Rice; Class XIV, Japan Brown Rice; Class XV, Calady Brown Rice; and Class XVI, Mixed Brown Rice.

*Grades.*—Brown rice shall be graded and designated according to the respective grade requirements of the numerical grades, or named grades, and Sample grades of its appropriate class or subclass, and according to the special grades when applicable.

##### HONDURAS BROWN RICE (CLASS I)

This class shall include the rices known commercially as Honduras and Mortgage Lifter, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

##### EDITH BROWN RICE (CLASS II)

This class shall include the rice known commercially as Edith, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

##### FORTUNA BROWN RICE (CLASS III)

This class shall include the rice known commercially as Fortuna, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

<sup>1</sup> The specifications of these standards shall not excuse failure to comply with the provisions of the Food and Drugs Act.

## CAROLINA BROWN RICE (CLASS IV)

This class shall include the rices known commercially as Carolina and Storm Proof, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## LADY WRIGHT BROWN RICE (CLASS V)

This class shall include the rice known commercially as Lady Wright, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## EARLY WRIGHT BROWN RICE (CLASS VI)

This class shall include the rice known commercially as Early Wright, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## REXORO BROWN RICE (CLASS VII)

This class shall include the rice known commercially as Rexoro, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## DELITUS BROWN RICE (CLASS IX)

This class shall include the rice known commercially as Delitus, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## NIRA BROWN RICE (CLASS IX)

This class shall include the rice known commercially as Nira, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## CLASSES I TO IX, INCLUSIVE

*Grade requirements for the classes Honduras, Edith, Fortuna, Carolina, Lady Wright, Early Wright, Rexoro, Delitus, and Nira, brown rice*

United States grade	Maximum limits of—											
	Cereal grains, seeds, mud lumps, and heat-damaged kernels (number in 500 grams)				Broken kernels							
	Cereal grains	Seeds	Heat-damaged kernels	Mud lumps	Paddy grains	Red rice	Damage other than heat	Chalky kernels	Total	Through no. 6½ sieve	Other rices.	
Extra Fancy	No. 0	No. 2	No. 0	No. 1	Pct. 0.2	Pct. 0.5	Pct. 1	Pct. 1.5	Pct. 10	Pct. 1	Pct. 1	Pct. 1
Fancy	1	5	1	2	.4	1.0	3	2.5	15	2	4	2
Choice	5	10	5	5	1.0	3.0	5	5.0	20	3	4	4

*Sample grade.*—Sample grade shall include brown rice of the classes Honduras, or Edith, or Fortuna, or Carolina, or Lady Wright, or Early Wright, or Rexoro, or Delitus, or Nira, respectively, which does not come within the requirements of any of the grades from Extra Fancy to Choice, inclusive; or which has any commercially objectionable foreign odor; or is musty, or sour, or heating, or hot; or is of a badly damaged or badly stained appearance; or is otherwise of distinctly low quality; or contains more than 0.1 percent of foreign material; or contains more than 14.5 percent of moisture.

## SHOEMED BROWN RICE (CLASS X)

This class shall include the rice known commercially as Shoemed, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## BLUE ROSE BROWN RICE (CLASS XI)

This class shall include the rices known commercially as Blue Rose, Greater Blue Rose, and Improved Blue Rose, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## EARLY PROLIFIC BROWN RICE (CLASS XII)

This class shall include the rice known commercially as Early Prolific, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## LOUISIANA PEARL BROWN RICE (CLASS XIII)

This class shall include the rice known commercially as Louisiana Pearl, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

## JAPAN BROWN RICE (CLASS XIV)

This class shall include the rice known commercially as Japan, and may include not more than 10 percent of whole kernels of rice of any other class or classes. This class shall be divided into two subclasses, as follows: (a) Japan brown rice and (b) California-Japan brown rice.

## Subclass (a) Japan Brown Rice

This subclass shall include all rices known commercially as Japan possessing the characteristics of rice of this class as grown east of the Rocky Mountains.

## CLASSES X TO XIII, INCLUSIVE, AND SUBCLASS (A) OF CLASS XIV

*Grade requirements for the classes Shoemed, Blue Rose, Early Prolific, and Louisiana Pearl, and for the subclass (a) Japan, brown rice*

United States grade	Maximum limits of—											
	Cereal grains, seeds, mud lumps, and heat-damaged kernels (number in 500 grams)				Paddy grains				Broken kernels			
	Cereal grains	Seeds	Heat-damaged kernels	Mud lumps	Red rice	Damage other than heat	Chalky kernels	Total	Through no. 6½ sieve	Other rices.		
Extra Fancy	No. 0	No. 2	No. 0	No. 1	Pct. 0.2	Pct. 0.5	Pct. 1	Pct. 1.5	Pct. 10	Pct. 1	Pct. 1	Pct. 1
Fancy	1	5	1	2	.4	1.0	3	2.5	15	2	4	2
Choice	5	10	5	5	1.0	3.0	5	5.0	20	3	4	4

*Sample grade.*—Sample grade shall include brown rice of the classes Shoemed, or Blue Rose, or Early Prolific, or Louisiana Pearl, or of the subclass Japan, respectively, which does not come within the requirements of any of the grades from Extra Fancy to Choice, inclusive; or which has any commercially objectionable foreign odor; or is musty, or sour, or heating, or hot; or is of a badly damaged or badly stained appearance; or is otherwise of distinctly low quality; or contains more than 0.1 percent of foreign material; or contains more than 14.5 percent of moisture.

## Subclass (b) California-Japan Brown Rice

This subclass shall include all rice known commercially as Japan possessing the characteristics of rice of this class as grown west of the Great Plains area of the United States.

## CALADY BROWN RICE (CLASS XV)

This class shall include the rice known commercially as Calady and other rices of similar type, possession the characteristics of rice of this class as grown west of the Great Plains area of the United States, and may include not more than 10 percent of whole kernels of rice of any other class or classes.

*Grade requirements for the subclass (b) California-Japan and for the class Calady, brown rice*

United States grade	Maximum limits of—											
	Cereal grains, seeds, mud lumps, and heat-damaged kernels (number in 500 grams)				Paddy grains				Broken kernels			
	Cereal grains	Seeds	Heat-damaged kernels	Mud lumps	Red rice	Damage other than heat	Chalky kernels	Total	Through no. 6½ sieve	Other rices.		
Fancy	No. 1	No. 25	No. 1	No. 1	Pct. 0.2	Pct. 0.2	Pct. 0.3	Pct. 3	Pct. 10	Pct. 1	Pct. 0.5	
1	3	50	3	3	.2	.4	.7	6	10	2	1.0	
2	5	75	5	5	.4	.7	1.5	10	15	3	2.0	

*Sample grade.*—Sample grade shall include brown rice of the subclass California Japan or of the class Calady, respectively, which does not come within the requirements of any of the grades from Fancy to No. 2, inclusive; or which has any commercially objectionable foreign odor; or is musty, or sour, or is heating, or hot; or is of a badly damaged or badly stained appearance; or is otherwise of distinctly low quality; or contains more than 0.1 percent of foreign material; or contains more than 14.5 percent of moisture.

## MIXED BROWN RICE (CLASS XVI)

This class shall include all mixtures of brown rice not provided for in the classes from I to XV, inclusive.

*Grade requirements and designations.*—Mixed Brown Rice shall be graded according to the grade requirements of the class or subclass of brown rice which predominates in the mixture, except that the grade specifications for the factor "other rices" shall be disregarded.

The grade designations for Mixed Brown Rice shall include, successively, in the order named, (1) the name of the grade, or the number thereof, (2) the words "Mixed Brown Rice," and (3) the name and approximate percentage of each class or subclass of brown rice which constitutes 10 percent or more of the mixture in the order of its predominance; but if only one class or subclass exceeds 10 percent of the mixture, the name and approximate percentage of that class or subclass shall be added to the grade designation, followed by the name and approximate percentage of at least one other class or subclass.

## SPECIAL GRADES FOR BROWN RICE

## Weevily Brown Rice

*Definition.*—Weevily brown rice shall be brown rice of any class which is infested with live weevils or other insects injurious to stored rice.

*Grades.*—Weevily brown rice shall be graded and designated according to the grade requirements of the standards applicable to such rice if it were not weevily, and there shall be added to, and made a part of, the grade designation, the word "Weevily."

## DEFINITIONS

*Basis of grade determinations.*—All determinations shall be upon the basis of the rice as a whole.

*Percentages.*—Percentages, except in the case of moisture, shall be percentages ascertained by weight.

*Percentage of moisture.*—Percentage of moisture shall be that ascertained by the air oven and the method of use thereof described in Service and Regulatory Announcements No. 147 of the Bureau of Agricultural Economics of the United States Department of Agriculture, or ascertained by any device and method which give equivalent results in the determination of moisture.

*No. 6½ sieve.*—A metal sieve perforated with round holes 6½/64 inch in diameter.

*Damaged kernels.*—Damaged kernels shall be kernels and pieces of kernels of brown rice which have been distinctly damaged by water, insects, or by any other means. Sound double and sound broken kernels shall not be considered damaged kernels.

*Heat-damaged kernels.*—Heat-damaged kernels shall be kernels and pieces of kernels of brown rice which have been distinctly discolored by external heat or as a result of heating caused by fermentation.

*Cereal grains.*—Cereal grains shall include barley, wheat, rye, emmer, spelt, einkorn, corn, grain sorghums, and oats, and shall not include buckwheat, flaxseed, and wild oats.

*Seeds.*—Seeds shall be grains, kernels, or seeds, either whole or broken, of any plant other than rice or other cereal grains.

*Red rice.*—Red rice shall be kernels or pieces of kernels of brown rice which are distinctly red in color or on which the bran is red.

*Broken kernels.*—Broken kernels shall be split kernels and pieces of kernels of brown rice which are less than three-fourths of the length of the perfect kernel.

*Chalky kernels.*—A chalky kernel shall be a kernel or a piece of a kernel of brown rice one-half or more of which is chalky.

*Mud lumps.*—Mud lumps shall be lumps of dried mud which will not pass through a No. 6½ sieve. Mud lumps which will pass through a No. 6½ sieve shall function in grading only as foreign material.

*Paddy grains.*—Paddy grains shall be kernels of rice from which the hulls have not been removed.

*Foreign material.*—Foreign material shall include all matter other than rice except mud lumps which will not pass through a No. 6½ sieve, and cereal grains, and seeds.

[F. R. Doc. 2590; Filed, August 21, 1937; 12:12 p. m.]

## AMENDMENT TO THE REGULATIONS GOVERNING THE INSPECTION AND CERTIFICATION OF RICE WITH RESPECT TO EQUAL-TO-TYPE CERTIFICATES

By virtue of the authority vested in the Secretary of Agriculture by the act of Congress entitled, "An Act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1938, and for other purposes," approved June 29, 1937 (Public No. 173—75th Congress), I, M. L. Wilson, Acting Secretary of Agriculture, do hereby make, prescribe, publish and give public notice of the following amendment to the regulations governing the inspection and certification of rice, as heretofore promulgated, to become effective August 21, 1937, and to continue in force and effect so long as Congress shall provide the necessary authority therefor, unless amended or superseded by regulations hereafter prescribed and promulgated under such authority.

Strike out Section 19 of Regulation 3, and insert in lieu thereof the following:

**Sec. 19. Equal-to-type certificate.**—Upon application of an interested party and upon compliance with the provisions of this regulation, a rice inspection certificate may be issued by an inspector to state that the quality of a lot or a sample of rice is "equal to or better than" the quality of a type which has previously been placed on file and definitely identified in the office of the inspector, provided such inspection and certification meet the conditions set forth in either subsections A (1, 2, 3 and 4), B, or C of this section.

A-1. The lot or sample to be certificated shall be equal to, or better than, the quality of the type according to all class, quality, and condition factors of the official rice standards of the United States, with the exception of moisture.

A-2. At the time of filing the type with the inspector, the depositor shall specify and file in writing with the inspector a statement of the maximum moisture content of any rice which he proposes to have inspected or to deliver against such type.

A-3. When the statement of moisture content filed by the depositor with the type specifies a maximum moisture content of 14.5 percent or less and when the lot or sample to be delivered or inspected against the type contains no more moisture than the maximum percentage so specified, the factor of moisture may be disregarded in making the certification.

A-4. When the statement of moisture content filed by the depositor with the type specifies a maximum moisture content in excess of 14.5 percent and when the lot or sample to be delivered or inspected against the type contains no more moisture than the maximum percentage so specified, the certificate shall clearly state the maximum percentage of moisture specified by the depositor also the actual moisture content of the lot or sample covered by the certificate.

B. An equal-to-type certificate also may be issued to show that rice is "equal to or better than" a properly identified type according to one or more of the class, quality, and condition factors of the official rice standards of the United States or according to other authorized quality tests, provided the certificate clearly states the factors or tests used in making the inspection.

C. An equal-to-type certificate also may be issued to show that rice is "equal to or better than" a properly identified type according to all of the class, quality, and condition factors of the official rice standards of the United States except for one or more such factors, provided the certificate clearly states the factors excepted in making the inspection.

All certificates issued under the provisions of this section shall clearly state the identity of the type.

In case any inspector finds that a lot or sample of rice offered for inspection under this section fails to meet the above requirements, the certificate issued pursuant to such inspection shall state that the rice is "not equal to type."

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the city of Washington, this 20th day of August, 1937.

[SEAL]

M. L. WILSON, Acting Secretary.

[F. R. Doc. 37-2591; Filed, August 21, 1937; 12:12 p. m.]

## DEPARTMENT OF LABOR.

Immigration and Naturalization Service.

## SIXTH AMENDMENT TO GENERAL ORDER NO. 228

SUBJECT: DESIGNATING BEEBE PLAIN, VERMONT, AS PORT OF ENTRY FOR ALIENS

AUGUST 21, 1937.

By virtue of and pursuant to the authority conferred by Section 23 of the Immigration Act of 1917 (Act of February 5, 1917, 39 Stat. 892; U. S. C., Tit. 8, Sec. 102), and Executive Order No. 6166, dated June 10, 1933, Beebe Plain, Vermont, is hereby designated as a port for the entry of aliens into the United States.

Paragraph 1, Subdivision A, Rule 3 of the Immigration Rules of January 1, 1930, as amended up to and including December 31, 1936, and subsequent thereto by General Order No. 228, dated December 21, 1935, and amendments thereto, is amended by inserting Beebe Plain between Alburg Springs and Beecher Falls in the list of ports of entry for aliens in District No. 1.

This General Order shall become effective September 1, 1937.

[SEAL]

EDW. J. SHAUGHNESSY,  
Acting Commissioner of  
Immigration and Naturalization.

Approved:

FRANCES PERKINS,  
Secretary.

F. R. Doc. 2596; Filed, August 23, 1937; 10:06 a. m.]

## FEDERAL POWER COMMISSION.

Commissioners: Frank R. McNinch, Chairman, Clyde L. Seavey, Vice Chairman, Claude L. Draper, Basil Manly, John W. Scott.

[Docket No. ID-838]

## APPLICATION OF MARTIN J. O'CONNELL

## ORDER POSTPONING HEARING

Upon further consideration of the application of Martin J. O'Connell, ID-838, filed June 12, 1937 for authorization under Section 305 (b) of the Federal Power Act to hold certain positions set forth in his application, upon which hearing has been set for Thursday, August 19, 1937;

The Commission orders: That said hearing be postponed to 10 a. m. on Monday, September 20, 1937, and be held in the Commission's hearing room at 1800 Pennsylvania Avenue, N. W., Washington, D. C.

Adopted by the Commission on August 14, 1937.

[SEAL] J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 37-2594; Filed, August 23, 1937; 9:44 a. m.]

Commissioners: Frank R. McNinch, Chairman, Clyde L. Seavey, Vice Chairman, Claude L. Draper, Basil Manly, John W. Scott.

[Docket No. IT-5473]

APPLICATION OF PENNSYLVANIA ELECTRIC COMPANY AND  
PENNSYLVANIA EDISON COMPANYORDER POSTPONING HEARING<sup>1</sup>

Upon application of Travis, Brownback & Paxson, attorneys for Pennsylvania Electric Company and Pennsylvania Edison Company for postponement of the hearing set upon their application, IT-5473, for approval of the sale of the franchises and all of the property, real, personal and mixed, including transfer of Federal Power Commission license for

<sup>1</sup> 2 F. R. 1523 (D).

project No. 1160, of the former company to the latter company;

It is ordered: That the public hearing on said application set for August 23, 1937 be postponed to September 29, 1937, at 10 a. m. in the hearing room of the Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, N.W., Washington, D. C.

Adopted by the Commission on August 14, 1937.

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 37-2593; Filed, August 23, 1937; 9:44 a. m.]

Commissioners: Frank R. McNinch, Chairman, Clyde L. Seavey, Vice Chairman, Claude L. Draper, Basil Manly, John W. Scott.

[Docket No. ID-485]

## APPLICATION OF RALPH D. JENNISON

ORDER TO SHOW CAUSE WHY PRIOR AUTHORIZATION SHOULD NOT  
BE TERMINATED AND SUPPLEMENTAL APPLICATION DENIED

Upon application of Ralph D. Jennison, 150 Broadway, New York City, filed on October 25, 1935, and supplemental applications filed on February 21, 1936 and July 14, 1936, for authority to hold certain interlocking positions within the purview of Section 305 (b) of the Federal Power Act, the Commission finds

(1) That on February 18, 1936, the Commission authorized the applicant to hold certain positions within the purview of said section, to wit:

President and Director of NY PA NJ Utilities Company,  
President and Director of New Jersey Power & Light Company,

President and Director of Northern Pennsylvania Power Company,

President and Director of Pennsylvania Electric Company,

President and Director of Erie Lighting Company,  
Director of Staten Island Edison Corporation,

by general order specifically reserving to the Commission the right to require the applicant to make further showing that neither public nor private interests will be adversely affected thereby, and to make any other further order or orders on said application as the Commission may deem proper;

(2) That by supplemental applications, the applicant has requested authorization to hold the further positions of Director of Penn Central Light & Power Company and Director of Virginia Public Service Company; upon which supplemental applications the Commission has not yet acted by reason of the applicant's failure to furnish certain information required by the rules of the Commission;

(3) That applicant also holds numerous other official positions with electric holding, management, and operating companies, some of which positions appear to be within the purview of said Section 305 (b);

(4) That a public hearing with respect to the propriety of the applicant's continuance in the several positions within the purview of Section 305 (b) is in the public interest.

It is therefore ordered: That a hearing be held in the Commission's hearing room, at 1800 Pennsylvania Avenue, N.W., Washington, D. C., at 10 o'clock a. m., on the 20th of September, 1937, and that at such hearing the said Ralph D. Jennison show cause why the Commission's order of February 18, 1936 authorizing him to hold the aforesaid positions should not be terminated and his supplemental applications denied.

Adopted by the Commission on August 14, 1937.

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 37-2595; Filed, August 23, 1937; 9:45 a. m.]

Commissioners: Frank R. McNinch, Chairman, Clyde L. Seavey, Vice Chairman, Claude L. Draper, Basil Manly, John W. Scott.

[Docket No. ID-808]

APPLICATION OF THOMAS W. MOFFAT

ORDER TO SHOW CAUSE WHY APPLICATION TO HOLD CERTAIN INTERLOCKING POSITIONS SHOULD NOT BE DENIED

Upon application of Thomas W. Moffat, 150 Broadway, New York City, filed on August 12, 1936, pursuant to Section 305 (b) of the Federal Power Act for authorization to hold the following positions:

Director of Eastern Shore Public Service Company (Del.),

Director of Florida Power Corporation,

Director of Georgia Power & Light Company,

Director of Tide Water Power Company,

Director of Virginia Public Service Company

the Commission finds:

(1) That the applicant has failed to furnish certain information required by the rules of the Commission;

(2) That the applicant holds numerous other corporate positions, some of which also appear to require the authorization of this Commission under said Section 305 (b);

(3) That a public hearing with respect to the propriety of the applicant's holding the multiple positions disclosed by the record appears to be in the public interest;

*It is therefore ordered:* That a hearing be held in the Commission's hearing room, at 1800 Pennsylvania Avenue, NW., Washington, D. C., at 10 o'clock a. m., on the 20th day of September, 1937 and that at such hearing the said Thomas W. Moffat show cause why his said application should not be denied.

Adopted by the Commission on August 14, 1937.

[SEAL]

J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 37-2592; Filed, August 23, 1937; 9:44 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 20th day of August, A. D., 1937.

[File No. 43-45]

IN THE MATTER OF DECLARATIONS FILED BY PEOPLES LIGHT AND POWER COMPANY<sup>1</sup>

[File No. 43-46]

IN THE MATTER OF DECLARATIONS FILED BY VOTING TRUSTEES FOR THE CLASS A COMMON STOCK OF PEOPLES LIGHT AND POWER COMPANY<sup>2</sup>

[File No. 43-50]

IN THE MATTER OF DECLARATIONS FILED BY MISSISSIPPI PUBLIC SERVICE COMPANY<sup>3</sup>

[File No. 43-52]

IN THE MATTER OF DECLARATION FILED BY TEXAS PUBLIC SERVICE COMPANY<sup>4</sup>

[File No. 43-53]

IN THE MATTER OF DECLARATIONS FILED BY WEST COAST POWER COMPANY<sup>5</sup>

<sup>1</sup> 2 F. R. 969, 1099 (DI).

<sup>2</sup> 2 F. R. 1035 (DI).

[File No. 43-54]

IN THE MATTER OF DECLARATIONS FILED BY KANSAS PUBLIC SERVICE COMPANY<sup>6</sup>

[File No. 43-55]

IN THE MATTER OF DECLARATIONS FILED BY CALIFORNIA PUBLIC SERVICE COMPANY<sup>7</sup>

[File No. 43-57]

IN THE MATTER OF DECLARATIONS FILED BY WESTERN STATES UTILITIES COMPANY<sup>8</sup>

ORDER TO SHOW CAUSE WHY DECLARATIONS SHALL BECOME EFFECTIVE

Whereas, Peoples Light and Power Company, a registered holding company, has filed with the Commission a declaration pursuant to the provisions of Section 7 of the Public Utility Holding Company Act of 1935, with respect to various securities which it proposes to issue pursuant to a plan of reorganization for the Peoples Light and Power Corporation;

Whereas, the Voting Trustees for the Class A Common Stock of Peoples Light and Power Company have filed with the Commission a declaration pursuant to the provisions of said Section 7 with respect to voting trust certificates which such voting trustees propose to issue pursuant to such plan of reorganization;

Whereas, Mississippi Public Service Company, Texas Public Service Company, West Coast Power Company, Kansas Public Service Company, California Public Service Company, and Western States Utilities Company, which are respectively subsidiary companies of the Peoples Light and Power Corporation (the company undergoing reorganization) have respectively filed with the Commission declarations pursuant to the provisions of Section 7 of said Act with respect to their issuance of certain securities that are called for by said plan of reorganization for Peoples Light and Power Corporation; and

Whereas, the Commission has held a joint hearing on all such declarations and upon certain related applications pursuant to Section 10 and Rule 12C-1 and, whereas, Section 7 of said Act provides for an order to show cause why such declaration should become effective;

*It is ordered,* That each and every of the aforesaid declarants appear before the Securities and Exchange Commission on September 15, 1937 at 10:30 o'clock in the forenoon of that day at Room 1102, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and show cause why their respective declarations hereinbefore described shall be permitted to become effective;

*Notice of such hearing is hereby given* to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before September 10, 1937.

By the Commission.

[SEAL]

ORVAL L. DUBoIS, *Recording Secretary.*

[F. R. Doc. 37-2598; Filed, August 23, 1937; 12:46 p. m.]

<sup>6</sup> 2 F. R. 1019 (DI).

<sup>7</sup> 2 F. R. 1035 (DI).

<sup>8</sup> 2 F. R. 1042 (DI).

